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60975 7590 04/20/2009

CAMPBELL STEPHENSON LLP
11401 CENTURY OAKS TERRACE
BLDG. H, SUITE 250
AUSTIN, TX 78758

EXAMINER

POND, ROBERT M

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 04/20/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/945,441

08/31/2001

Stephan Brunner

OIC0045US

3599

TITLE OF INVENTION: METHOD TO GENERATE A CUSTOMIZABLE PRODUCT CONFIGURATOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	07/20/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

60975 7590 04/20/2009

**CAMPBELL STEPHENSON LLP
11401 CENTURY OAKS TERRACE
BLDG. H, SUITE 250
AUSTIN, TX 78758**

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,441	08/31/2001	Stephan Brunner	OIC0045US	3599

TITLE OF INVENTION: METHOD TO GENERATE A CUSTOMIZABLE PRODUCT CONFIGURATOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	07/20/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
POND, ROBERT M	3625	705-027000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,441	08/31/2001	Stephan Brunner	OIC0045US	3599
60975	7590	04/20/2009	EXAMINER	
CAMPBELL STEPHENSON LLP 11401 CENTURY OAKS TERRACE BLDG. H, SUITE 250 AUSTIN, TX 78758			POND, ROBERT M	
			ART UNIT	PAPER NUMBER
			3625	
DATE MAILED: 04/20/2009				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 519 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 519 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	09/945,441	BRUNNER ET AL.	
	Examiner	Art Unit	
	Robert M. Pond	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdt(12/30/08); Interview (20090410); Examiner's Amdt (#20090413).
2. ☒ The allowed claim(s) is/are 1-3,5,7-10,12-18,24-27,31,33-35,39,41-43,45-48,55-57 and 59-71.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>10/20/08;12/30/08</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20090410</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other ____. |
|--|--|

/Robert M. Pond/
Primary Examiner, Art Unit 3625

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization

Authorization for this examiner's amendment was given in a telephone interview with Mr. Cyrus F. Bharucha on 10 April 2009.

Claims Allowed

Claims 1-3, 5, 7-10, 12-18, 24-27, 31, 33-35, 39, 41-43, 45-48, 55-57 and 59-71 entered 30 December 2008 are allowed. Claims 4, 6, 11, 19-23, 28-30, 32, 36-38, 40, 44, 49-54 and 58 were canceled by Applicants.

In the Claims

- Delete claims 1-3 in their entirety and insert therefore:
 - -1. A computer implemented method comprising:
receiving a template comprising identifiers and operators, wherein
the identifiers identify one or more component products from a set of
component products, and

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the identified component products comprise a first component product;

and

customizing, using a processor, a class rule based on the identifiers and on

relationships associated with the operators, wherein

the customized class rule indicates at least one configuration restriction for

at least one customizable product.

2. The computer implemented method of claim 68, comprising:

determining not to associate the first component product with the customizable

product if the customized class rule limits association of the first

component product with the customizable product.

3. The computer implemented method of claim 68, comprising:

determining to associate the first component product with the customizable

product if the customized class rule allows association of the first

component product with the customizable product;

associating the first component product with the customizable product;

determining to associate a second component product with the customizable

product upon the associating the first component product if the customized

class rule requires association of the first component product with the

second component product; and

associating the second component product with the customizable product.- -

- Delete claims 8-10 in their entirety and insert therefore:

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- 8. A machine-readable medium that provides instructions recorded on a computer-readable storage medium and executable by a set of one or more processors to cause the set of one or more processors to perform operations comprising:

receiving a template comprising identifiers and operators, wherein

the identifiers identify one or more component products from a set of component products, and

the identified component products comprise a first component product, and

customizing a class rule based on the identifiers and on relationships associated with the operators, wherein

the customized class rule indicates at least one configuration restriction for at least one customizable product.

9. The machine-readable medium of claim 69, the operations comprising: determining not to associate the first component product with the customizable product if the customized class rule limits association of the first component product with the customizable product.

10. The machine-readable medium of claim 69, the operations comprising: determining to associate the first component product with the customizable product if the customized class rule allows association of the first component product with the customizable product;
associating the first component product with the customizable product;

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determining to associate a second component product to the customizable product upon the associating the first component product if the customized class rule requires associating the first component product with the second component product; and
associating the second component product with the customizable product.- -

- Delete claims 15 and 16 in their entirety and insert therefore:

- -15. A computer implemented method comprising:

receiving a template comprising identifiers and operators, wherein

the identifiers identify component products from a set of component products, and

customizing, using a processor, a set of class rules based on the identifiers and

on relationships associated with the operators, wherein the set of

customized class rules define at least one relationship among two or more

of the identified component products;

designating a customizable product; and

associating a first component product with the customizable product based on a

customized class rule, among the set of customized class rules, that

applies to the customizable product.

16. The computer implemented method of claim 15, comprising selecting a second component product to add to the customizable product, wherein the selecting is based on the first component product and at least one of the customized class rules.- -

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- Delete claim 18 in its entirety and insert therefore:
 - -18. The computer implemented method of claim 15, comprising associating a second component product with the customizable product upon the selecting based on at least one of the customized class rules.- -
- Delete claim 24 in its entirety and insert therefore:
 - -24. A machine-readable medium that provides instructions recorded on a computer-readable storage medium and executable by a set of one or more processors to cause the set of one or more processors to perform operations comprising:
 - receiving a template comprising identifiers and operators, wherein
 - the identifiers identify component products from a set of component products, and
 - customizing a set of class rules based on the identifiers and on relationships associated with the operators, wherein the set of customized class rules define at least one relationship among two or more of the identified component products;
 - designating a customizable product; and
 - associating a first component product with the customizable product based on a customized class rule, among the set of customized class rules, that applies to the customizable product.- -
- Delete claim 27 in its entirety and insert therefore:

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- 27. The machine-readable medium of claim 24, wherein the operations comprise associating a second component product with the customizable product upon the selecting based on at least one of the customized class rules.- -

- Delete claims 33-35 in their entirety and insert therefore:

- 33. An apparatus comprising:

a memory to store a set of one or more customizable product classes; and

a processor, coupled to the memory and configured to

identify a set of component products,

receive a template comprising identifiers and operators, wherein

the identifiers identify one or more component products from a set

of component products, and

the identified component products comprise a first component

product, and

customize a class rule based on the identifiers and on relationships

associated with the operators, wherein

the customized class rule indicates at least one configuration

restriction for at least one customizable product.

34. The apparatus of claim 70, wherein the processor is configured to determine not to associate the first component product with the customizable product if the customized class rule limits association of the first component product with the customizable product.

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35. The apparatus of claim 70, wherein the processor is configured to:
determine to associate the first component product with the customizable product
if the customized class rule allows association of the first component
product with the customizable product; and
associate the first component product with the customizable product.- -

- Delete claims 41-43 in their entirety and insert therefore:

- -41. The computer implemented method of claim 1, comprising:
converting the customized class rule from a natural language format into a low-
level computer language.

42. The computer implemented method of claim 1, wherein the customized class
rule comprises an expression relating to an attribute of a component product.

43. The computer implemented method of claim 1, wherein the customized class
rule defines at least one relationship among the customizable product classes.- -

- Delete claims 45-48 in their entirety and insert therefore:

- -45. The machine-readable medium of claim 8, the operations comprising:
converting the customized class rule from a natural language format into a low
level computer language.

46. The machine-readable medium of claim 8, wherein the customized class rule
comprises an expression relating to an attribute of a component product.

47. The machine-readable medium of claim 8, wherein the customized class rule
defines at least one relationship among the customizable product classes.

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48. The computer implemented method of claim 15, comprising:
converting the customized class rules from a natural language format into a low-level computer language.- -

- Delete claims 68-70 in their entirety and insert therefore:
 - -68. The computer implemented method of claim 1, comprising:
receiving, during a runtime session, a request to designate a customizable product;
receiving, during the runtime session, a request to associate the first component product with the customizable product; and
determining whether to associate the first component product with the customizable product based on the customized class rule.
 - 69. The machine-readable medium of claim 8, the operations comprising:
receiving, during a runtime session, a request to designate a customizable product;
receiving, during the runtime session, a request to associate the first component product with the customizable product; and
determining whether to associate the first component product with the customizable product based on the customized class rule.

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70. The apparatus of claim 33, wherein the processor is configured to:
receive, during a runtime session, a request to designate a customizable product;
receive, during the runtime session, a request to associate the first component
product with the customizable product; and
determine whether to associate the first component product with the
customizable product based on the customized class rule.- -

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The field of invention relates to the generation and provisioning customizable products and specifically relates to customizing class rules that identify requirements for components related to a first component.

Regarding claim 1. A template is used to create an expression that uses a product identifier and operators to customize a class rule that will determine requirements (i.e. identify constraints) for combining a component product with a first (original) component product. Neither the previously cited prior art nor closest prior art noted below alone or in combination with other prior art teach and suggest the combinations of methods as claimed.

Regarding claims 8, 15, 24 and 33. Reasons for allowance are base on the above reasons. For example, claim 8 is a computer readable version of claim 1. Claim 15 is narrower than claim 1 and claim 24 is the computer readable version of claim 15. Claim 33 is an apparatus version of claim 1.

Closest US Patent/Non-Patent Literature

Strevey (US 6,035,305 previously cited in Paper #20080410) discloses a product configuration system and methods. In addition to arguments provided by Applicants entered 30 December 2008 and 16 July 2008, Strevey neither alone nor in combination with other prior art teach and suggest the combinations of methods as claimed: receiving a template comprising identifiers and operators, wherein the identifiers identify one or more component products from a set of component products, and the identified component products comprise a first component product; and customizing, using a processor, a class rule based on the identifiers and on relationships associated with the operators, wherein the customized class rule indicates at least one configuration restriction for at least one customizable product.

Forward and backward citations of Strevey failed to produce closer prior art. General search update revealed Dolby (US 5,617,514) but Dolby neither alone nor in combination with other prior art teach and suggest the combinations of methods as claimed as noted above.

Closest Non-patent Literature

Gorti (Paper #20050620, PTO-892, Item U) discloses product configuration relationships and rules used to determine constraints. Gorti, however, neither alone nor in combination with other prior art teach and suggest the combinations of methods as claimed: receiving a template comprising identifiers and operators, wherein the identifiers identify one or more component products from a set of

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component products, and the identified component products comprise a first component product; and customizing, using a processor, a class rule based on the identifiers and on relationships associated with the operators, wherein the customized class rule indicates at least one configuration restriction for at least one customizable product.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert M. Pond/
Primary Examiner, Art Unit 3625
April 13, 2009